

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

SHENIKA J. HOUSTON,	}	
	}	
Plaintiff,	}	
	}	
v.	}	CIVIL ACTION NO.
	}	2:14-CV-035-WMA
	}	
BAYER HEALTHCARE	}	
PHARMACEUTICALS INC.,	}	
	}	
Defendant.	}	

SCHEDULING ORDER AND NOTICE TO ALL ATTORNEYS AND PARTIESREAD CAREFULLY

On May 5, 2014, the parties met pursuant to Fed. R. Civ. P. 26(f) and on May 19, 2014, filed with this court a report of the agreements reached at that meeting. The court conducted a status and scheduling conference on September 17, 2014. Consequently, the action is no longer stayed. Based on the report submitted by the parties and the said conference, and **making such changes** and additions as the court finds appropriate for the proper management of the case, the court orders that the following limitations shall apply:

1. **PRE-DISCOVERY DISCLOSURES** - will be exchanged by **September 30, 2014**. Plaintiff is to produce executed Medical Authorizations to defendant and a preliminary list of medical providers by September 30, 2014, to permit defendant to begin to obtain plaintiff's medical records. Defendant must copy plaintiff on all requests for medical records in which the authorization is used.
2. **DISCOVERY** - Discovery, except as to experts, shall be completed by **April 30, 2015**.
3. **INTERROGATORIES** - Maximum of **25** interrogatories by each

party to any other party; responses due 30 days after service.


4. **REQUESTS FOR PRODUCTION** - Maximum of 25 requests for production by each party; responses due 30 days after service.
5. **REQUESTS FOR ADMISSION** - Maximum of 25 requests for admission including sub parts, by each party; responses due 30 days after service.
6. **DEPOSITIONS** - Maximum of 10 depositions by plaintiff and 10 depositions by defendant, excluding experts, with a maximum time limit of 7 hours per deposition, unless extended by agreement of the parties.
7. **EXPERT REPORTS** - Shall be due from plaintiff by May 15, 2015, and from defendant by August 7, 2015. Plaintiff's experts shall be made available for deposition by July 10, 2015. Defendant's experts shall be made available for deposition by October 2, 2015.
8. **SUPPLEMENTATIONS** [Fed. R. Civ. P. 26(e)] - Shall be due from all parties within 30 days after the discovery of any new information, but in any event, no later than 30 days prior to trial.
9. **JOINDER OF ADDITIONAL PARTIES** - Parties shall have until February 27, 2015, to join additional parties.
10. **AMENDMENT OF PLEADINGS** - Parties shall have until February 27, 2015, to amend the pleadings.
11. **DAUBERT MOTIONS** - All *Daubert* motions shall be filed by November 20, 2015.
12. **MOTIONS** - All potentially dispositive motions shall be filed by December 18, 2015.
13. **WITNESSES/EXHIBITS** [Fed. R. Civ. P. 26(a)(3)] - Final lists of trial witnesses and exhibits shall be due from the parties 30 days prior to trial. All parties will have 10 days after service of final lists of trial evidence to list objections under Rule 26(a)(3).
14. **PRETRIAL/TRIAL** - The court will schedule a pretrial conference after April 1, 2016. The court will set a trial date at an appropriate time, but the trial date

will be no earlier than June 1, 2016.

15. **MOTIONS TO EXTEND DEADLINES** - All motions to extend the deadlines set forth herein shall specify the length of the requested extension and shall include proposed extensions for later deadlines, if any, that would be affected by granting the requested extension.
16. **MEDIATION** - Parties must inform the court by November 2, 2015, whether or not they have agreed to a mediation.
17. In the event the parties reach a settlement and fail to notify the court in time to call off the number of venire persons summoned for the case, THE COST OF THE JURY WILL BE TAXED EQUALLY TO PLAINTIFF AND DEFENDANT.

All parties have a continuing duty to dismiss, at the earliest possible time, all claims and defenses against all parties as to whom it is determined that there is no reasonable basis for maintaining the claims or defenses. Motions to compel in discovery matters should, after attempts at resolution have failed, be filed promptly so as to avoid delays in preparations.

DONE this 18th day of September, 2014.

  
WILLIAM M. ACKER, JR.  
UNITED STATES DISTRICT JUDGE